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LEGISLATIVE ACTION

Senate

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House

Senator Simon moved the following:

Senate Amendment (with title amendment)

Delete lines 1004 - 1087

and insert:

Section 26. Paragraph (a) of subsection (2), paragraphs (a) and (b) of subsection (3), paragraph (c) of subsection (4), paragraphs (a), (b), and (d) of subsection (5), paragraphs (a), (b), and (c) of subsection (6), paragraph (b) of subsection (7), and subsection (9) of section 1008.25, Florida Statutes, are amended, and paragraph (h) is added to subsection (2) of that section, to read:



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12 1008.25 Public school student progression; student support;
13 coordinated screening and progress monitoring; reporting
14 requirements.—

15 (2) STUDENT PROGRESSION PLAN.—Each district school board
16 shall establish a comprehensive plan for student progression
17 which must provide for a student's progression from one grade to
18 another based on the student's mastery of the standards in s.
19 1003.41, specifically English Language Arts, mathematics,
20 science, and social studies standards. The plan must:

21 (a) Include criteria that emphasize student reading
22 proficiency in kindergarten through grade 3 and provide targeted
23 instructional support for students with identified deficiencies
24 in English Language Arts, mathematics, science, and social
25 studies, including students who have been referred to the
26 district from the Voluntary Prekindergarten Education Program
27 consistent with paragraph (5) (b). High schools shall use all
28 available assessment results, including the results of
29 statewide, standardized English Language Arts assessments and
30 end-of-course assessments for Algebra I and Geometry, to advise
31 students of any identified deficiencies and to provide
32 appropriate postsecondary preparatory instruction before high
33 school graduation. The results of evaluations used to monitor a
34 student's progress in grades K-12 must be provided to the
35 student's teacher in a timely manner and as otherwise required
36 by law. Thereafter, evaluation results must be provided to the
37 student's parent in a timely manner. When available,
38 instructional personnel must be provided with information on
39 student achievement of standards and benchmarks in order to
40 improve instruction.



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41 (h) Specify retention requirements for students in
42 kindergarten through grade 2 based upon each student's
43 performance in English Language Arts and mathematics. For
44 students who are retained in kindergarten through grade 2, the
45 plan must incorporate the parental notification requirements
46 provided in subsections (5) and (6), include an opportunity for
47 parental input on the retention decision, and include
48 information on the importance of students mastering early
49 literacy and communication skills in order to be reading at or
50 above grade level by the end of grade 3.

51 (3) ALLOCATION OF RESOURCES.—District school boards shall
52 allocate remedial and supplemental instruction resources to
53 students in the following priority:

54 (a) Students in the Voluntary Prekindergarten Education
55 Program ~~kindergarten~~ through grade 3 who have a substantial
56 deficiency in reading or the characteristics of dyslexia as
57 determined in paragraph (5) (a).

58 (b) Students in the Voluntary Prekindergarten Education
59 Program ~~kindergarten~~ through grade 4 who have a substantial
60 deficiency in mathematics or the characteristics of dyscalculia
61 as determined in paragraph (6) (a).

62 (4) ASSESSMENT AND SUPPORT.—

63 (c) A student who has a substantial reading deficiency as
64 determined in paragraph (5) (a) or a substantial mathematics
65 deficiency as determined in paragraph (6) (a) must be covered by
66 a federally required student plan, such as an individual
67 education plan or an individualized progress monitoring plan, or
68 both, as necessary. The individualized progress monitoring plan
69 must be developed within 30 days after the results of the



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coordinated screening and progress monitoring system become
available. The plan must ~~shall include~~, at a minimum, include:

1. The student's specific, identified reading or
mathematics skill deficiency.

2. Goals and benchmarks for student growth in reading or
mathematics.

3. A description of the specific measures that will be used
to evaluate and monitor the student's reading or mathematics
progress.

4. For a substantial reading deficiency, the specific
evidence-based literacy instruction grounded in the science of
reading which the student will receive.

5. Strategies, resources, and materials that will be
provided to the student's parent to support the student to make
reading or mathematics progress.

6. Any additional services the student's teacher deems
available and appropriate to accelerate the student's reading or
mathematics skill development.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in a Voluntary Prekindergarten Education
Program provided by a public school ~~kindergarten~~ through grade 3
who exhibits a substantial deficiency in reading or the
characteristics of dyslexia based upon screening, diagnostic,
progress monitoring, or assessment data; statewide assessments;
or teacher observations must be provided intensive, explicit,
systematic, and multisensory reading interventions immediately
following the identification of the reading deficiency or the
characteristics of dyslexia to address his or her specific
deficiency or dyslexia. For the purposes of this subsection, a



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Voluntary Prekindergarten Education Program student is deemed to exhibit a substantial deficiency in early literacy skills based upon the results of the midyear or final administration of the coordinated screening and progress monitoring under subsection (9).

1. The department shall provide a list of state examined and approved comprehensive reading and intervention programs. The intervention programs shall be provided in addition to the comprehensive core reading instruction that is provided to all students in the general education classroom. Dyslexia-specific interventions, as defined by rule of the State Board of Education, shall be provided to students who have the characteristics of dyslexia. The reading intervention programs must do all of the following:

a. Provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as applicable.

b. Provide daily targeted small group reading interventions based on student need in phonological awareness, phonics, including decoding and encoding, sight words, vocabulary, or comprehension.

c. Be implemented during regular school hours.

2. A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under paragraph (4)(b) is developed to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to



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provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyslexia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

3. A student's reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized English Language Arts assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in a Voluntary Prekindergarten Education Program provided by a public school ~~kindergarten~~ through grade 3 has a substantial deficiency in reading.

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early literacy skills based upon the results of the administration of the mid-year or final coordinated screening and progress monitoring under subsection (9) shall be referred to the local school district and may be eligible to receive instruction in early literacy skills before participating in kindergarten. A student with an individual education plan who has been retained pursuant to paragraph (2)(g) and has demonstrated a substantial deficiency in early literacy skills must receive instruction in early literacy skills.

(d) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be



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notified in writing, in a timely manner, of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

4. The student progression requirements under paragraph (2) (h) and that if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.

5. Strategies, including multisensory strategies and programming, through a read-at-home plan the parent can use in helping his or her child succeed in reading. The read-at-home plan must provide access to the resources identified in paragraph (f).

6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.

7. The district's specific criteria and policies for a portfolio as provided in subparagraph (7) (b) 4. and the evidence



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required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A school must immediately begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention or upon the request of the parent, whichever occurs first.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

9. Information about the student's eligibility for the New Worlds Reading Initiative under s. 1003.485 and the New Worlds Scholarship Accounts under s. 1002.411 and information on parent training modules and other reading engagement resources available through the initiative.

After initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement. After receiving the initial notification, a parent may request additional meetings with the teacher or the school's reading coach to discuss the student's progress and may request additional services currently provided by the school district. The additional services must include, but are not limited to, the interventions in paragraph (8) (a).

(6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—



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(a) Any student in a Voluntary Prekindergarten Education Program provided by a public school ~~kindergarten~~ through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must:

1. Immediately following the identification of the mathematics deficiency, be provided systematic and explicit mathematics instruction to address his or her specific deficiencies through either:

a. Daily targeted small group mathematics intervention based on student need; or

b. Supplemental, evidence-based mathematics interventions before or after school, or both, delivered by a highly qualified teacher of mathematics or a trained tutor.

2. The performance of a student receiving mathematics instruction under subparagraph 1. must be monitored, and instruction must be adjusted based on the student's need.

3. The department shall provide a list of state examined and approved mathematics intervention programs, curricula, and high-quality supplemental materials that may be used to improve a student's mathematics deficiencies. In addition, the department shall work, at a minimum, with the Florida Center for Mathematics and Science Education Research established in s. 1004.86 to disseminate information to school districts and teachers on effective evidence-based explicit mathematics instructional practices, strategies, and interventions.

4. A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under



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paragraph (4)(b) is developed to identify the student as having a substantial mathematics deficiency and initiate intensive mathematics interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyscalculia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

5. The mathematics proficiency of a student receiving additional mathematics supports must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized Mathematics assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in a Voluntary Prekindergarten Education Program provided by a public school ~~kindergarten~~ through grade 4 has a substantial deficiency in mathematics.

For the purposes of this paragraph, a Voluntary Prekindergarten Education Program student is deemed to exhibit a substantial deficiency in mathematics skills based upon the results of the mid-year or final administration of the coordinated screening and progress monitoring under subsection (9).

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early math skills based



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upon the results of the administration of the mid-year or final coordinated screening and progress monitoring under subsection (8) shall be referred to the local school district and may be eligible to receive intensive mathematics interventions before participating in kindergarten.

(c) The parent of a student who exhibits a substantial deficiency in mathematics, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of mathematics deficiency.

4. Strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping his or her child succeed in mathematics. The home-based plan must provide access to the resources identified in paragraph (e).

After the initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions



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or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement. After receiving the initial notification, a parent may request additional meetings with the teacher or school's math coach to discuss the student's progress and may request additional services that are currently provided by the school district.

(7) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(c), for good cause. A student ~~who is~~ promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. A parent may request additional interventions that are currently provided by the school district and can include, but are not limited, to the interventions identified in paragraph (8)(a). Good cause exemptions are limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.

2. Students with disabilities whose individual education



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plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.

3. Students who demonstrate an acceptable level of performance on the beginning or mid-year administration of the English Language Arts coordinated screening and progress monitoring system under subsection (9), or an alternative standardized reading or English Language Arts assessment, approved by the State Board of Education.

4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 117 - 122
and insert:



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course assessment; amending s. 1008.25, F.S.; revising the criteria for the student progression plan to include instructional support for students referred from a specified program; requiring school districts to specify retention requirements for students in kindergarten through grade 2; requiring that the plan incorporate specified parental notification requirements, include an opportunity for parental input on the retention decision, and include certain information; requiring district school boards to include the Voluntary Prekindergarten Education Program in a certain allocation of resources; requiring that the individualized progress monitoring plan for specified students be developed within a specified timeframe; providing conditions for parents to request supports for students identified as having a substantial deficiency in reading or mathematics; requiring the department to adopt additional alternative assessments for good cause promotion; requiring two administrations of the coordinated screening and progress monitoring system for students in a summer prekindergarten program; conforming cross-references; amending s.